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11/9/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of:

Anstey et al.

Group Art Unit: 1641

Serial No. 09/124,485

Examiner: G. Gabel

Filed: July 29, 1998

FAX RECEIVED

NOV 13 2001

GROUP 1600

For: A METHOD OF PROHPHYLAXIS
AND TREATMENT

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office No. 703 308-6242	
Date	B. Kroge

Commissioner for Patents
Washington, D.C. 20231

BEST AVAILABLE COPY

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 9, 2001 finally rejecting claims 1-26 and 34-37.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity☒ small entity (2)

Verified statement

☐ attached☒ 2 statements already filed on October 22, 199801/28/2002 TPARKS 00000001 071963 09124485
02 FC:219 160.00 CH

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

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☒ small entity \$160
☐ other than a small entity \$320

Notice of Appeal Fee Due \$160.003. **EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings.)

(complete (a) or (b) as applicable) **BEST AVAILABLE COPY**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input checked="" type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Fee \$ 460.00

If an additional extension of time is required please consider this a petition therefor.

check and complete the next item (if applicable)

☐ An extension for ___ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension Fee Due with this Request \$460.00

or

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

01/28/2002 TPARKS 00000001 071969

01 FC:217 460.00 CH

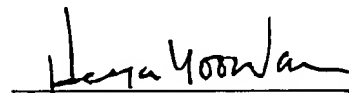
4. TOTAL FEE DUE:

The total fee due is:

Notice of Appeal fee	\$ 160.00
Extension fee (if any)	\$ 460.00

BEST AVAILABLE COPY**TOTAL FEE DUE \$620.00****5. FEE PAYMENT** Attached is a check in the sum of \$ X Charge Account No. 07-1969 the sum of \$ 620.00
A duplicate of this transmittal is attached**6. FEE DEFICIENCY**

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

 X If any additional extension and/or fee is required charge Account No. 07-1969**AND/OR** X If any additional fee for claims is required, charge Account No. 07-1969.

Heeja Yoo-Warren
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.
5370 Manhattan Circle, Suite 201
Boulder, CO 80303
Telephone: (303) 499-8080
Facsimile: (303) 499-8089
Email: winner@greenwin.com
Attorney Docket No. 73-97
bmk: November 9, 2001